

**TESTIMONY OF
MELANIE BAHNKE, PRESIDENT OF KAWERAK, INC.
BEFORE THE U.S. SENATE SUBCOMMITTEE ON EMERGENCY MANAGEMENT,
INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA**

SEPTEMBER 13, 2013

Thank you Senator Begich, Senator Paul, and members of the Senate Subcommittee - for the opportunity to testify. I am Akighquaaghqaq, Melanie Bahnke and I am President of Kauerak, Inc. Kauerak is the regional Native non-profit corporation and tribal consortium of the Bering Strait Region of northwestern Alaska, where there are 20 federally recognized tribes. I also serve on the Alaska Federation of Natives (AFN) Board of Directors, and am co-chair of the AFN committee of non-profit CEO's, the Council for Advancement of Alaska Natives. I hold a master's degree in Rural Development.

Thank you for giving me this opportunity to present our challenges and recommendations. I am pleased that Congress and the Administration is focusing attention on tribal communities and their erosion, disaster, and community relocation issues.

Introduction: The Bering Strait Region of Alaska is about the size of West Virginia. The population of the region is over 9000; 75% are Alaska Native. The region is not connected to the rest of Alaska by roads, and 17 of the 20 villages are not accessible by road at all from the hub community of Nome, except for in the summer. Primary access is by air service, with small commuter planes and dirt runways in most of the villages. The ocean freezes over the winter and barge services are cut off; air transportation for freight is thus higher in the winter. Unemployment is high, jobs are scarce, and poverty is significant. 2012 fuel prices averaged \$6.19/gallon for heating oil and \$6.40/gallon for gasoline. All of our tribes have identified the need for ports/harbors/barge landings in their Long Range Transportation Plans.

Most rural communities in Alaska face community development challenges (infrastructure development, healthcare, transportation, communications, energy, education, local services, economy, jobs, public safety, and emergency services). All of the communities in the Bering Strait Region are located on the sea coast or shores of rivers. Until compulsory education was imposed upon our people, Alaska Natives in our region often followed the game and established temporary settlements based on the hunting and gathering seasons. With the influx of the missionaries, who were paid by the federal government, permanent settlements were established, and in the 1930's the Bureau of Indian Affairs forced some residents to relocate to the coast to save on mobilization costs.

Climate Change and Erosion Issues: Kauerak has a Natural Resources division, which plays a role in compiling Traditional Ecological Knowledge. Through our Social Science program, we have researchers who have collected data from hundreds of hunters and gatherers in our region who have lived their whole lives observing the environment and have witnessed many changes, such as a rise in sea level, later freeze up and thinner ice, permafrost melting, changes in weather patterns, and shorter winters, more rain, and hotter summers. Absent the physical protections from severe fall storms, several of our communities are experiencing rapid erosion of their shorelines, and may be better off being relocated.

Disaster Issues: The Bering Strait Region has five villages in imminent danger posing threat to life and property. The 2011 Bering Sea Winter Storm was declared a disaster by President Obama. The storm threatened coastal communities because there are no current revetments/seawalls/protection in our villages except for three. Flooding occurred, power was cut off, and communication to some of the villages was lost for several hours.

Exacerbating the natural disasters, the threat of manmade disasters looms over our region as a threat to our natural resources and people as diminishing sea ice has resulted in increased shipping traffic through the Northern Sea Route (NSR) and the Northwest Arctic Passage (NWAP). The narrow Bering Strait Region between Alaska and Russia is a chokepoint for this traffic. In 2012 there were an estimated 480 transits through the Bering Strait. For travel between Europe and Asia, going through the NSR and NWAP is shorter compared to traveling through the Panama Canal. This number may not seem high, but when you consider that the Bering Strait is only 50 miles wide at its narrowest points, and the traffic is occurring in a condensed amount of time, there are risks for disasters. The U.S. has not ratified the United Nations Convention on the Law of the Sea (UNCLOS), which permits member nations to claim an exclusive economic zone (EEZ) out to 200 nautical miles from shore, with an exclusive sovereign right to explore, manage, and develop all living and non-living resources within the EEZ. UNCLOS also establishes general obligations for safeguarding the marine environment and creates a legal regime for controlling mineral resources exploration in deep seabed areas beyond national jurisdiction.

Governmental Coordination and Resource Allocation Issues: Our federal, state, local and tribal governments are ill-prepared for both the natural disasters that we have already experienced and the potential future natural and man-made disasters in our region. Not only is there a lack of a lead agency spearheading comprehensive efforts to prevent, mitigate, and respond to disasters, there is a lack of coordination among the agencies that are tasked with carrying out the splintered components of these efforts. Resources to carry out projects in our region have been very limited; often funding opportunities require a cost-benefit analysis that factors in population or require a local cost-share that is prohibitive.

Currently, the Alaska Native Tribal Health Consortium has two staff assisting tribal communities with Emergency Operations Plans (EOP), and the State of Alaska works with local municipalities to assist them as well. However, funding is limited. Establishing an EOP requires professional services, and there are some rural communities who do not even have a municipal government.

The Immediate Action Work Group began as an ad-hoc group, and resulted in a US Corps of Engineers 2009 Recommendation Report, which then led to the creation of the Alaska Governor's Executive Subcabinet on Climate Change. The goal was to address known threats to communities caused by coastal erosion, thawing permafrost, flooding and fires. The IAWG was composed of high-level staff with authority for resource allocation from both the State and Federal agencies and was co-chaired by the USCOE and the State of Alaska's Department of Community and Regional Affairs.

The working group was effective because key decision-makers from the various federal, state, and local governments participated and the early stages of projects identified as priorities were 100% federally funded from the Corps of Engineers under what was Section 117 of the Energy and Water Development Act of 2005. The next stages, still ongoing, required a local match of 35% to

the Corps 65% which was funded by the State with the recommendations coming from the IAWG. In 2009 Congress repealed Section 117, halting much needed flooding and erosion projects. In 2010 Congress enacted Section 116, which requires projects to be cost shared between the federal government and local sponsors at 65% federal funds and 35% local funds. As an example, for one of our community's project – the community was required to provide a \$6-\$8M match for a USCOE revetment project. The project was not completed. Our local communities simply do not have the resources to cost-share for projects at the 35% rate.

Even when funding has been made available, we have experienced challenges in implementing practical solutions due to restrictive funding regulations. For example, one of our communities received funding from the U.S. Department of Agriculture's Natural Resources Conservation Services to control erosion, but the funding regulations would not allow a project to be above the contour of the adjacent land, so the City government installed gabions to prevent more water damage to buildings that had been flooded. The gabions later faltered. In another community that was flooded, Kawerak was able to access funds following the disaster, but the funding source, the Emergency Relief for Federally Owned Roads (ERFO) restricted use of funds only to roads, not to public or private property. Splintering funding sources together to address the comprehensive impacts of a community disaster is challenging to say the least.

Recommendations:

- **Reinstate the Immediate Action Work Group.** This model is an exemplary model of coordinating State, Federal, and local leaders to prioritize projects, coordinate resources, and implement projects. Allocate resources to support the coordination of efforts.
- **Fund the Priorities Already Identified.** Various inter-agency reports have sprung out of the increased focus on the arctic, including a USCG strategy document, a US NOAA Arctic Mapping plan, a US Committee on Marine Transportation System priority document, U.S. National Science and Technology Council arctic research plan, and a National Strategy for the Arctic produced by the White House this past May. Resources need to be allocated toward these multi-agency priorities to close the gaps.
- **Implement the USCOE's 2009 Recommendations Report.** If a cost-share structure is necessary, cost-sharing should be shared between the federal government and the state government, not local communities who have practically no tax base to afford a cost share.
- **Eliminate Red Tape.** Identify and eliminate regulations and policies that are prohibitive to access of funds. A national call to tribes and rural communities to identify these barriers should be undertaken, and agencies should work together to eliminate the red tape. This should not be a lengthy process. For Alaska, the regional non-profits could coordinate obtaining this information.
- **Identify and consolidate disaster funding.** The current splintering of funding sources for disasters is complicated and cumbersome. Disaster prevention, planning, mitigation and response for communities should be viewed holistically and the resources required to fulfill these functions should be consolidated and provide flexibility.

- **Institute emergency preparedness support.** Each community and region should have an Emergency Operations Plan in place, as well as the equipment and resources necessary to carry out their plan should disaster strike. Given the recent development where federally recognized tribes are now able to request disaster declarations directly to the President, bypassing their state governments, there are several requirements that tribes have to have in place before submitting a request that will be considered. Simply put, it costs money to even ask for money. Technical assistance and training needs to be made available through the federal and state departments of Homeland Security (in a coordinated manner) and through FEMA.
- **Increase U.S.C.G. presence in the Arctic.** Up until just a few years ago, the USCG had a station at Port Clarence in the Bering Strait Region. This station has been shuttered and our region's nearest station is now Kodiak, much too far away. Given the recent increase in ocean vessel traffic through the Bering Strait, increased presence is needed. A permanent USCG base in the Bering Strait, the chokepoint between Russia and Alaska, is needed.
- **Support development of regional Emergency Operations Plans.** Storms and disasters do not typically only affect one community – in most cases an entire region is affected. Regional plans are needed and the regional non-profits could provide a mechanism to accomplish this, especially in areas where there are no organized boroughs.
- **Establish a model for practical collaboration with rural communities and tribes.** The U.S.C.G. has actively established relationships with, communicated with, and coordinated with tribes in our region of Alaska. Other agencies, such as FEMA, USCOE, and the Departments of Homeland Security (both state and federal) should follow suit.

Thank you for providing me the opportunity to be here to provide you with some insight to the issues and offer recommendations. I appreciate your efforts to identify and implement solutions to ensure that our tribal members are safe in the communities that they were forced to settle in. The benefits of allocating resources proactively, as opposed to after a disaster, must be considered. No person in the most developed country in the world, regardless of ethnicity, should be subject to the threat of loss of life due to conditions that can be mitigated by governmental actions. The U.S. is an arctic nation and has an obligation to assert its sovereign authority and protect national interests. With the authority comes responsibility for disaster prevention, mitigation, and response, especially in an area such as the Bering Strait Region, which is exposed to international ocean traffic. Kawerak stands ready to be a partner with our tribes, local, state, and federal governments toward this end.